# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of)

MINH VAN HO

DOCKET NO. 2006-0080

To Place Operating Authority on) Inactive Status.

ORDER NO. 22432

Filed April 28, 2006 At 1:50 o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI

Chief Clerk, Public Utilities Commission State of Hawaii.

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#### ORDER

By this Order, the commission places certificate of public convenience and necessity no. 1456-C ("Certificate No. 1456-C"), held by MINH VAN HO ("Petitioner"), on inactive status for a period of twelve (12) months, effective from the date of this Order, pursuant to Hawaii Revised Statutes ("HRS") § 271-19(b).

I.

# Request to Place Common Carrier Authority on Inactive Status

On April 6, 2006, Petitioner filed a letter requesting that Certificate No. 1456-C be placed on inactive status. Certificate No. 1456-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers.

Under HRS § 271-19(b), the commission may place a certificate on inactive status upon written request by a motor

carrier, and for good cause shown. The inactive period, however, may not exceed twelve (12) months. In addition, HRS § 271-19(b) provides that inactive status may only be granted for a cumulative period not to exceed two (2) years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires he may file, prior to the expiration of the inactive period granted by this Order, a request to extend his inactive status for up to one (1) additional year.

II.

# <u>Orders</u>

### THE COMMISSION ORDERS:

- 1. Petitioner's Certificate No. 1456-C is placed on inactive status for a period of twelve (12) months, effective from the date of this Order.
- 2. Pursuant to HRS § 271-19(b), if Certificate No. 1456-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 1456-C, along with the filing of all documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 1456-C shall be revoked.
- 3. Petitioner shall not transfer his inactive certificate unless Petitioner can first establish good cause to

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the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii \_\_\_\_\_APR 2 8 2006 \_\_\_\_.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

By <u>(EXCUSED)</u> Wayne H. Kimura, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2006-0080.eh

## CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22432 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MINH VAN HO 1115 Prospect Street Honolulu, HI 96822

Karen Higashi

DATED: APR 2 8 2006